

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|------------------------------|---|-----|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. |
| |) | |
| TWENTY THOUSAND, FOUR |) | |
| HUNDRED FIFTY-TWO DOLLARS |) | |
| (\$20,452.00) U.S. CURRENCY, |) | |
| |) | |
| TWENTY THOUSAND DOLLARS |) | |
| (\$20,000.00) U.S. CURRENCY, |) | |
| |) | |
| Defendants. |) | |

VERIFIED COMPLAINT OF FORFEITURE

Comes now plaintiff, United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Jennifer A. Winfield, Assistant United States Attorney, for said district, and in a civil cause of action for forfeiture respectfully states as follows:

1. In this *in rem* civil action the United States seeks forfeiture of certain property, currently in the possession and custody of the plaintiff pursuant to the provisions of Title 21, United States Code, Section 881.
2. Subject Matter Jurisdiction of this Court is based on Title 28, United States Code, Sections 1345, 1355(a), and Title 21, United States Code, Section 881. *In rem* jurisdiction is based on Title 28, United States Code, Section 1355. Venue is proper in this district pursuant to Title 28, United States Code, Sections 1355 & 1395 and Title 21, United States Code, Section 881(j).

3. The defendant property was furnished or intended to be furnished in exchange for controlled substances in violation of the Controlled Substances Act, Title 21, United States Code, Section 801 *et seq.*, was proceeds traceable to such an exchange, and was used or intended to be used to facilitate such an exchange. The defendant property is therefore subject to forfeiture to the United States of America, under the provisions of Title 21, United States Code, Section 881(a)(6).

4. The defendant property was seized in the Eastern District of Missouri and is now, and during the pendency of this action will be in the jurisdiction of this court.

5. On or about November 23, 2012, the defendant \$20,452.00 was seized from Kerry Coley by the Florissant Police Department. On or about November 23, 2012, the defendant \$20,000.00 was seized from Melodie Coley by the Florissant Police Department. On January 23, 2013, the Drug Enforcement Administration adopted the seizure pursuant to an Order of Transfer from the Circuit Court of St. Louis County, Missouri. The plaintiff alleges the defendant property is subject to forfeiture and for its reasons states as follows:

6. In October 2012, a joint investigation conducted by the Drug Enforcement Administration and the Florissant Police Department identified multiple individuals involved in the possible distribution of cocaine in the St. Louis area. During the investigation, investigators identified Kerry Coley as a member of the distribution organization.

7. Investigators have utilized source information, law-enforcement surveillance operations, statements made by individuals as part of this investigation, and other investigative procedures to identify Coley's involvement in multiple drug trafficking transactions.

8. On November 23, 2012, a traffic stop was conducted by officers with the Florissant Police Department. Pursuant to the stop, Coley was arrested for possession of an open container of alcohol. Upon being placed in the rear of the investigators vehicle, Coley stated that he had a large sum of currency, approximately \$20,000 in a black bag in the rear seat of the vehicle. Coley gave investigators consent to a search of his vehicle, and investigators located the black bag containing a large amount of U.S. Currency. A subsequent count of the currency in the bag determined the total to be \$20,000.00. Coley also had \$452 in U.S. Currency on his person.

9. Continuing on November 23, 2012, Coley was transported to the Florrisant Police Department, where he agreed to speak with investigators. Coley stated that he was in the process of taking the currency to his cousin, whom Coley stated he owed the money to. Coley refused to give the cousin's name or the reason the money was owed. Coley later stated he had nothing to hide from investigators, and gave them consent to the search of his residence in Florissant, MO.

10. Investigators responded to Coley's residence and made contact with his wife, Melodie Coley. Melodie Coley invited investigators into the residence, and agreed to fully cooperate. Melodie Coley subsequently was presented with a consent to search and seize form, which she carefully reviewed and signed. During a search of the residence, investigators located and seized multiple items, including two handguns, a money counting machine, and \$20,000.00 U.S. Currency. The currency was discovered bundled together by rubber bands, between a night stand and the wall.

11. On November 23, 2012, investigators requested the assistance of a drug-detecting canine unit to respond to the Florissant Police Department in regards to the seized U.S. Currency. The canine was introduced to a locker room to sniff the air space, and gave no

indications or alerts. The officer and canine then left the room, and two sums of currency were placed into two different lockers. The canine was reintroduced to the room and gave positive alerts to the presence of a narcotic odor on both lockers containing the currency.

12. The only people known to have any possible interest in the defendant property are Kerry Coley and Melodie Coley.

13. By reason of these premises, the defendant property is subject to forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 881.

WHEREFORE, Plaintiff prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the plaintiff be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ Jennifer A. Winfield
JENNIFER A. WINFIELD, #53350MO
Assistant United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
(314) 539-2200

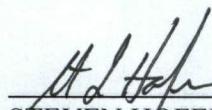
VERIFICATION

I, Special Agent Steven Hofer, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Drug Enforcement Administration, that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Drug Enforcement Administration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/18/2013
(date)



STEVEN HOFER
Special Agent
Drug Enforcement Administration